IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 25TH MAY 2007 / 4TH JYAISHTA 1929

WP(C).No. 15827 of 2007(H)

PETITIONER:

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1. C.K.DASAN, S/O.KARUNAKARAN,
   AGED 43 YEARS, AKSHAY NIVAS, ONDINPARAMBA,
   KAKKAD, KANNUR DISTRICT.

2. RESHMI,
   W/O C.K.DASAN,
   AKSHAY NIVAS, ONDINPARAMBA,
   KAKKAD, KANNUR DISTRICT.

3. MANOJ KUMAR,
   S/O.BHARADHAN, AISHWARYA, MUNDAYAD P.O.,
   KANNUR DISTRICT.

BY ADV. SRI.SUNNY MATHEW

RESPONDENTS:

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1. THE SPECIAL DEPUTY TAHSILDAR,
   REVENUE RECOVERY, KANNUR.

2. THE OFFICIAL LIQUIDATOR,
   HIGH COURT OF KERALA,
   KOCHI.

3. STATE OF KERALA,
   REPRESENTED BY THE CHIEF SECRETARY TO GOVERNMENT,
   GOVERNMENT SECRETARIAT, TRIVANDRUM.

R1&3 BY G.P. SMT.M.K.PUSHPALATHA
R2 BY ADV. SRI.K.MONI

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.15827 of 2007

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Dated this the 25th day of May, 2007.

JUDGMENT

Heard counsel for the petitioners and Standing Counsel for Official Liquidator. The challenge against recovery proceedings is not tenable because amount sought to be recovered is decreed by Company Court. However, having regard to the financial hardship expressed by petitioners, petitioners are granted six equal monthly instalments to clear the arrears, first of which will be paid on or before 10th June, 2007 and the balance on or before the 10th of five succeeding months. If payments are made voluntarily, no collection charges should be recovered by respondents. However, if default is committed in payment of any instalment, the instalment facility will stand cancelled and entire amount will be recovered together with collection charges.

W.P. is disposed of as above.

C.N.RAMACHANDRAN NAIR
Judge

pms